

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

June 7, 2002

IN RE:

GENERIC DOCKET TO CONSIDER  
TECHNOLOGY ADVANCES

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DOCKET NO.  
02-00434

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ORDER GRANTING PETITIONS TO INTERVENE

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This docket came before the Pre-Hearing Officer for consideration of the following petitions for intervention: 1) *Joint Petition to Intervene* filed by Sprint Communications Company, L.P. and United Telephone-Southeast, Inc. ("Sprint/United") on May 24, 2002; 2) *Petition to Intervene* filed by MCI WorldCom Communications, Inc. ("WorldCom") on May 30, 2002; 3) *Petition to Intervene* filed by Cinergy Communications Company ("Cinergy") on May 30, 2002; 4) *Petition to Intervene* filed by Birch Telecom, Inc. ("Birch") on May 30, 2002; 5) *Petition to Intervene* filed by DIECA Communications, Inc. d/b/a Covad Communications Company ("Covad") on May 30, 2002; and 6) *Petition to Intervene* filed by AT&T Communications of the South Central States ("AT&T") on May 30, 2002.

Tenn. Code Ann. § 4-5-310(a) sets forth the following criteria for granting petitions to intervene:

(a) The administrative judge or hearing officer shall grant one (1) or more petitions for intervention if:

(1) The petition is submitted in writing to the administrative judge or hearing officer, with copies mailed to all parties named in the notice of the hearing, at least seven (7) days before the hearing;

(2) The petition states facts demonstrating that the petitioner's legal rights, duties, privileges, immunities or other legal interest may be determined in the

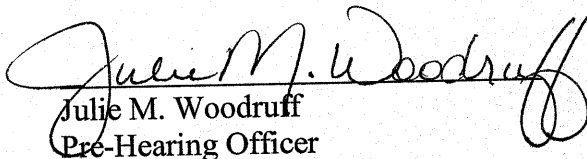
proceeding or that the petitioner qualifies as an intervenor under any provision of the law; and

(3) The administrative judge or hearing officer determines that the interests of justice and the orderly and prompt conduct of the proceedings shall not be impaired by allowing the intervention.<sup>1</sup>


The petitions are timely and substantiate that the legal interests of Sprint/United, WorldCom, Cinergy, Birch, Covad, and AT&T may be determined in this docket. Moreover, there is no indication that granting the petitions will in anyway impair the interests of justice or the orderly and prompt conduct of this docket. Lastly, no objections as to any of the petitions for intervention have been entered. Therefore, pursuant to Tenn. Code Ann. § 4-5-310(a), the petitions should be granted.

**IT IS THEREFORE ORDERED THAT:**

Sprint Communications Company, L.P.; United Telephone-Southeast, Inc.; MCI WorldCom Communications, Inc.; Cinergy Communications Company; Birch Telecom, Inc.; DIECA Communications, Inc. d/b/a Covad Communications Company; and AT&T Communications of the South Central States are hereby granted leave to intervene. As intervenors, these parties may participate in this proceeding as their interests require and receive copies of any notices, orders or other documents filed herein.

  
Julie M. Woodruff  
Pre-Hearing Officer

ATTEST:

  
K. David Waddell, Executive Secretary

<sup>1</sup> Tenn. Code Ann. § 4-5-310(a) (1998).